



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 106388
20 March 2019

MUCKROCK NEWS
DEPT MR 69601
411A HIGHLAND AVENUE
SOMERVILLE MA 02144 2516

Dear Mr. Bergen:

This responds to your Freedom of Information Act (FOIA) request of 20 March 2019, which was received by this office on 21 March 2019, for "Mandatory Declassification Review (MDR), of the following records: document or documents- often called memorandum of understanding (MOU) or memorandum of agreement (MOA) that outline the current relationship between the National Security Agency and "Phillips Crypto," and/or "Phillips USFA," and/or "NV Phillips Gloeilampenfabrieken," and/or "Phillips B.V." Your request has been assigned Case Number 106388. There are no assessable fees for this request.

Your request has been reviewed by this Agency as required by the FOIA, and is being fully denied in accordance with Executive Order 13526, as set forth in Subparagraphs (e) and (g) of Section 1.4. This request is denied because disclosure could reasonably be expected to cause damage (at minimum) to the national security, per Executive Order 13526, Section 1.2. Any responsive material that may exist would be deemed currently and properly protected; therefore, exempt from disclosure pursuant to the first exemption of the FOIA (5 U.S.C. Section 552(b)(1)).

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. Accordingly, your request is also denied pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statute applicable in this case is Section 6, Public Law 86-36 (50 U.S. Code 3605). No portion of any responsive material is reasonably segregable.

Please be advised that due to security concerns, this is our standard response to all requests where we reasonably believe acquisition records are being sought on a contract or contract related activity.

You may appeal this decision. If you decide to appeal, you should do so in the manner outlined below. NSA will endeavor to respond within 20 working days of receiving any appeal, absent any unusual circumstances.

- The appeal must be sent via U.S. postal mail, fax or electronic delivery (e-mail) and addressed to:

NSA FOIA/PA Appeal Authority (P132)
National Security Agency
9800 Savage Road STE 6932
Fort George G. Meade, MD 20755-6932

The facsimile number is (443)479-3612
The appropriate email address to submit an appeal is
FOIARSC@nsa.gov

- It must be postmarked or delivered electronically no later than 90 calendar days from the date of this letter. Decisions appealed after 90 days will not be addressed.
- Please include the case number provided above.
- Please describe with sufficient detail why you believe the denial of requested information was unwarranted.

You may also contact our FOIA Public Liaison at foialo@nsa.gov for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Rd- OGIS
College Park, MD 20740
ogis@nara.gov
877/684-6448
(Fax) 202/741-5769

Sincerely,

Michael Chapman

JOHN R. CHAPMAN
Chief, FOIA/PA Office
NSA Initial Denial Authority